TO: Bert Meunier, Chief Administrative Officer
FROM: Lance Thurston, Commissioner, Community Services Department
PREPARED BY: Ann Pappert, Manager Cultural Services Division
Lynda Breen, Supervisor, Programs, Events & Aquatics
DATE OF MEETING: 2004-02-03
SUBJECT: By-law to Re-Establish the MacLachlan Woodworking Museum

RECOMMENDATION TO COUNCIL:

WHEREAS the MacLachlan Woodworking Museum is an important cultural asset owned and operated by the City of Kingston;

AND WHEREAS the Museum operational budget receives funding from Ontario Ministry of Culture’s Community Museum Operating Grants (CMOG);

AND WHEREAS eligibility for CMOG is contingent on the Museum being established by a written document(s) which includes:
   a) The authority for the museum
   b) The museum’s statement of purpose and objectives
   c) Provisions for the dissolution of the museum’s assets and liabilities should it cease to operate.

THEREFORE BE IT RESOLVED that Council implement the By-law to Re-Establish the MacLachlan Woodworking Museum as a municipal asset.

ORIGIN/PURPOSE:
The purpose of this report is to recommend a By-law to Re-Establish the MacLachlan Woodworking Museum (MWM) as a municipal asset. The Museum requires a municipal by-law to be in place in order to meet the Ontario Ministry of Culture’s new Standards for Community Museums in Ontario: Governance and Conservation Standard and to continue to qualify for the annual Community Museum Operating Grant.

OPTIONS/DISCUSSION:
Background:
In 2003, the Ontario Ministry of Culture evaluated the MacLachlan Woodworking Museum as per two new Standards for Community Museums in Ontario: Governance and Conservation. The Governance Standard (Appendix A) requires that the Museum be established by a written document(s) which includes:
a) The authority for the museum  
b) The museum's statement of purpose and objectives  
c) Provisions for the dissolution of the museum's assets and liabilities should it cease to operate.

While the principal goal of the Standards is to serve museums as a guide to good practice, the Standards for Community Museums in Ontario is further referenced in Regulation 877 – Grants for Museums. Regulation 877 is a provincial regulation that governs the allocation of operating grants to Ontario’s community museums. Eligibility for these operating grants is contingent on museums meeting both the requirements in the regulation as well as the standards.

The MWM has received Community Museum Operating Grants (CMOG) in the amounts of $16,232 from 2000-2002, $17,235 from 1996-1999, and $21,054 from 1991-1995. The decreasing amount is due to the same allocated funding being divided among an increasing number of eligible museums throughout Ontario.

The 2003 Standards Assessment on Governance requested a copy of the Municipal by-law, Letters Patent/Statement of incorporation or other documents which establish the museum.

Unfortunately, the former Corporation of the Township of Pittsburgh by-laws establishing the Museum (NO. 37-81 and NO. 25-88), were repealed at amalgamation and not brought forward, replaced or harmonized with existing by-laws. The MWM’s CMOG application, submitted in June of 2003, expressed its intent to meet the grant requirement before the end of the calendar year, and included the attached proposed draft By-Law to re-establish the Museum.

The Museum is able to meet the other provincial grant requirements through its existing policies and BY-LAW NO. 2001-80, a by-law to amend By-Law NO. 98-1 Council Procedural By-Law, establishing the MacLachlan Woodworking Museum Committee as a staff advisory Committee, passed by Council on March 6, 2001.

EXISTING POLICY/BY-LAW:
By-Law No. 99-91 identifies the MacLachlan Woodworking Museum as a physical asset.

LINK TO THE STRATEGIC PLAN:
City Council adopted 8 strategic priorities from the Community Strategic Plan to focus on over the next few years. Among those eight, was the area of Culture. Within the approved cultural strategy, Council adopted implementation plans within three broad categories, namely: Assets and Opportunities; Community Partnerships; and, Communities in Bloom.

Arts, culture and leisure are recognized for their value to the well-being of residents as well as their economic value. However, the community believes that arts, culture and leisure are threatened by diminishing resources and that planning for the future of these assets is needed. A by-law is required to recognize the MacLachlan Woodworking Museum as a city governed asset and ensure accessibility to future external funding opportunities.

The recommendation contained in this report will advance development of a key piece of the approved cultural strategy while addressing the need to revise existing bylaws and harmonize past bylaws.
FINANCIAL CONSIDERATIONS:
The MWM has received Community Museum Operating Grants (CMOG) in the amounts of $16,232 in 2000, 2001 and 2002, $17,235 from 1996-1999, and $21,054 from 1991-1995. Eligibility for the annual operating grant is contingent on museums meeting both the requirements in the regulation as well as the standards.

CONTACTS:
Ann Pappert, Manager, Cultural Services Division 546-4291, ext. 1341
Lynda Breen, Supervisor, Programs, Events and Aquatics 546-7998 ext. 1705
Caroline Petznick, Curator, MacLachlan Woodworking Museum, 542-0543

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:
Mark McLaughlin, Associate Legal Counsel, Legal Services, 546-4291 ext. 1365
Janice Moran, Records Clerk, By-laws & Agreements, Records Management, 546-4291 ext. 1244
Jim Purser, Records and Information Officer, Council Support, 546-4291 ext. 1355

APPENDICES:
Appendix A – Governance Standard for Community Museums in Ontario (attached)
Appendix B – By-law to Re-Establish the MacLachlan Woodworking Museum
Standards for Community Museums in Ontario

Revised Edition: August 2000

1. GOVERNANCE STANDARD

Objective of the Governance Standard

Good governance and demonstrated public accountability are necessary for the museum to operate as a viable not-for-profit organization. The museum is governed by a publicly accountable body that follows a clearly defined mission and goals, and maintains openness in its decisions and operations.

Requirements

1. The museum is governed by a publicly accountable body.

2. The museum is established by a written document(s) which includes:
   a) The authority for the museum
   b) The museum’s statement of purpose and objectives
   c) Provisions for the dissolution of the museum’s assets and liabilities should it cease to operate.

3. The museum’s governing body is established by a written document which outlines:
   a) Its composition and structure, including selection of members and terms of office
   b) Its obligation to ethical behaviour and the avoidance of conflict of interest, as a body and as individuals
   c) Its obligation to meet municipal, provincial and federal legislative requirements that have an impact on its decisions or activities
   d) Its responsibilities and duties, including:
      i. Recruiting, supervising and evaluating the museum’s curator or director (i.e. the museum’s chief manager)
      ii. Formulating the museum’s statement of purpose
      iii. Formulating written policy governing operations and defining programs
      iv. Securing funding necessary to carry out the museum’s programs
      v. Preparing or approving an annual budget and monitoring it to ensure public accountability
      vi. Ensuring that the purposes for which the museum exists are being fulfilled
      vii. Ensuring that the collection is being cared for under proper conditions

4. The museum’s governing body meets regularly and as often as necessary to conduct its business effectively. The meetings follow a written agenda and a written record is kept of all discussions and decisions.

5. The museum’s operation and administration meets municipal, provincial and federal legislative requirements that have a bearing on its operations and activities.

6. The museum and its staff demonstrate a commitment to ethical behaviour as an institution and as individuals.

7. The museum’s operations and activities are directed by short and long-term written plans (e.g. business plan, strategic plan, visioning plan or master plan) approved by the governing body and containing goals and objectives relevant to the museum’s statement of purpose.
APPENDIX ‘B’

THE CORPORATION OF THE CITY OF KINGSTON

BY-LAW NO. 2003-_______

BY-LAW TO RE-ESTABLISH THE MacLACHLAN WOODWORKING MUSEUM

PASSED:

WHEREAS Section 11 (1) 5 of the Municipal Act, 2001, S.O. 2001, c.25 authorizes the Council of a single-tier municipality to pass by-laws respecting culture, parks, recreation and heritage;

AND WHEREAS the Council of The Corporation of the City of Kingston owns a heritage woodworking museum known as the “MacLachlan Woodworking Museum” and wishes to designate same for use by the public as a museum pursuant to the above noted provisions;

NOW THEREFORE the Council of the Corporation of the City of Kingston hereby enacts as follows:

1. The log building and adjacent exhibit building on the parcel of land located on Lot 22, Concession 2, known municipally as 2993 Highway 2 East, located within the city of Kingston in the County of Frontenac, are hereby designated as the MacLachlan Woodworking Museum and shall be held for the use by the public as a museum.

2. The MacLachlan Woodworking Museum shall be used to house museological and archival collections. Activities at The MacLachlan Woodworking Museum shall include the following: acquisition and management of collections, artefact and document care and preservation, research and documentation, artefact display, public programming and interpretation, and reference and research services.

3. All materials in the collections of the MacLachlan Woodworking Museum shall be owned by and remain the property of the City of Kingston. The collections of the MacLachlan Woodworking Museum are public assets as defined by the Income Tax Act of Canada.

4. Management of the collections of the MacLachlan Woodworking Museum through de-accession shall comply with all relevant statutes and laws and with the Collections Policy of the MacLachlan Woodworking Museum.

5. Acquisition and de-accession of collections for the MacLachlan Woodworking Museum shall be a matter of public record and such appropriate records shall be kept and maintained by the Curator in accordance with the Museum’s Collection Policy.

This by-law shall come into force and take effect on the date of its passing.

GIVEN FIRST AND SECOND READINGS

GIVEN THIRD READING AND FINALLY PASSED

CITY CLERK

MAYOR
TO: Bert Meunier, Chief Administrative Officer
FROM: Terry Willing, Acting Commissioner, Planning & Development Services
PREPARED BY: Chris Sleeth, Traffic Coordinator, Engineering Division
DATE OF MEETING: February 3, 2004
SUBJECT: PROPOSED ALL-WAY STOP SIGN LOCATIONS

RECOMMENDATION TO COUNCIL:

That a By-Law be presented to City Council to amend By-Law 2003-209 to establish All-Way Stop control at the following intersections:

Victoria Street at Earl Street
Macdonnell Street at Park Street

Add: To Schedule C-1 Through Highways

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<thead>
<tr>
<th>Highway</th>
<th>From</th>
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<tr>
<td>Victoria Street</td>
<td>South Side of Mack Street</td>
<td>North Side of Earl Street</td>
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<td>Macdonnell Street</td>
<td>South Side of Concession Street</td>
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<td>Macdonnell Street</td>
<td>South Side of Park Street</td>
<td>North Side of Mack Street</td>
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Delete: From Schedule C-1 Through Highways

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<tr>
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<td>Victoria Street</td>
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<td>North Side of Union Street</td>
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<tr>
<td>Macdonnell Street</td>
<td>South Side of Concession Street</td>
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Add: To Schedule C-3 All-Way Stop Signs

C-3 All-Way Stop Signs

<table>
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<tr>
<th>Highway</th>
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<td>Earl Street</td>
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<tr>
<td>Macdonnell Street</td>
<td>Park Street</td>
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**ORIGIN/PURPOSE:**

Engineering Division staff have been reassessing intersections in the City, to determine if all-way stops are warranted, using the new City of Kingston warrants. Based on these reassessments, both the Victoria/Earl Street and the Macdonnell/Park Street intersections are being recommended for all-way stop control.

**OPTIONS/DISCUSSION:**

The intersection of Victoria Street and Earl Street meets all of the requirements of the warrant system for all-way stop control that includes total vehicle volume, the number of vehicles and pedestrians on the minor street and vehicle split. This location is therefore recommended for all-way stop control.

The intersection of Macdonnell Street and Park Street meets the warrants for total vehicle volume and the number of vehicles and pedestrians on the minor street. Although the volume split warrant is not met, there is a sight distance issue related to intersection angle. As there are numerous school children crossing at this location during the day, and two of the three warrants are met, all-way stop control is thus recommended at this location for safety-related reasons.

*Noise By-Law Consideration*

Not applicable

*Impact on parking*

None

**EXISTING POLICY/BY-LAW:**

By-law 2003-209 (Traffic)

**LINK TO STRATEGIC PLAN:**

Not applicable

**FINANCIAL CONSIDERATIONS:**

No financial implications are to be considered in this report.
CONTACTS:

Terry Willing, Acting Commissioner, Planning & Development Services, 384-1770, ext. 3181
Speros Kanellos, Manager, Engineering Division, 384-1770, ext. 3133
Deanna Green, Traffic Engineer, Engineering Division, 384-1770, ext. 3170
Chris Sleeth, Traffic Supervisor, Engineering Division, 384-1770, ext. 3149

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

Engineering Division, Planning and Development Services
Kingston City Police

NOTICE PROVISIONS:

Not applicable

APPENDICES:

Appendix A - Drawing - All-Way Stop Locations

Terry Willing,
Acting Commissioner, Planning & Development Services

Bert Meunier
Chief Administrative Officer
TO: Bert Meunier, Chief Administrative Officer

FROM: Lance Thurston, Commissioner of Community Services

PREPARED BY: John D. Smith, Administrator, Rideaucrest Home

DATE OF MEETING: February 3, 2004

SUBJECT: Award of Contract to Kingston Injury Management Center for provision of injury management treatment

RECOMMENDATION to Council:
THAT the contract with Kingston Injury Management Center to provide injury management treatment services to the employees of Rideaucrest Home be extended for an additional two (2) years.

AND FURTHER THAT the Mayor and Clerk be authorized to execute a contract that is acceptable to the City Solicitor.

ORIGIN/PURPOSE:
For the past twenty-four (24) months Rideaucrest Home has had a contract with Kingston Injury Management Center for the provision of injury management treatment services to the employees of Rideaucrest Home.

OPTIONS/DISCUSSION:
Rideaucrest staff have received consistent high quality care in a very timely manner. Staff have consistently received treatment within the critical time frames (very shortly after having received an injury).

There has been a significant reduction in lost time from work as a result of this service. The prompt treatment of musculoskeletal injuries has reduced the incidence of permanent impairment to our employees.

The cost of health care for injuries has been significantly reduced due to the excellent communication between Kingston Injury Management Center and Rideaucrest’s Occupational Health Nurse.

Through quality physiotherapy service and collaboration with Rideaucrest’s Occupational Health Nurse all employees injured in 2002 and 2003 have been successfully returned to work.
EXISTING POLICY/BY-LAW:

N/A

FINANCIAL CONSIDERATIONS:
The total fees for physiotherapy assessments/treatments and pre-placement assessments will not exceed $13,000 for the first year of the contract. Service fees will be reviewed for the second year of the contract by staff prior to the end of the first year. Any change in the cost of the contract for year two would be reported to Council at that time for consideration and approval. The contract may be terminated with 30 days notice.

CONTACTS:
John D. Smith, Administrator, Rideaucrest Home
Bonnie L. Carter, Occupational Health Nurse, Rideaucrest Home

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED: N/A

APPENDICES:
Appendix “A” – Contract with Kingston Injury Management Centre
Lance Thurston, Commissioner
Department of Community Services

Bert Meuhier
Chief Administrative Officer
Physiotherapy Services Agreement

Between: The Corporation of the City of Kingston (Rideaucrest Home)

and The Kingston Injury Management Centre

The Kingston Injury Management Centre agrees to provide the following services to The Corporation of the City of Kingston for its Rideaucrest Home employees as follows:

1. To provide physiotherapy assessment by a registered physiotherapist within 48 hours of referral by the Rideaucrest occupational health nurse or designate. This assessment will be conducted according to the standards of practice of the College of Physiotherapists of Ontario.

2. To provide physiotherapy treatment, work conditioning and testing of employee capabilities, as needed, to facilitate return to pre-injury work levels. Physiotherapy treatment will be carried out by a registered physiotherapist. Work conditioning and testing of employee capabilities will be conducted jointly by a certified kinesiologist and a registered physiotherapist.

3. To provide pre-placement assessments. The purpose of the assessment is to show the worker his/her strengths and weaknesses, to teach proper body mechanics and/or therapeutic exercises if deficits are identified. A registered physiotherapist and a certified kinesiologist will conduct the pre-placement assessment. These appointments are 1 to 1.5 hours in duration and will be conducted at the centre.

4. Either party may terminate this agreement at any time on thirty (30) days written notice to the other party.

5. The Kingston Injury Management Centre shall indemnify and save Rideaucrest and the City of Kingston from any claims, actions, or demands for damages, losses or expenses resulting from any injury or loss suffered by any person as a result of receiving physiotherapy treatment or services from the Kingston Injury Management Centre in accordance with the terms of this agreement.

6. The fees for the above noted professional services are as follows:

- Physiotherapy Assessment $60.00
- Physiotherapy Treatment $38.00 per session
- Pre-Placement Assessment $75.00
7. The Kingston Injury Management Centre agrees that the total fees for physiotherapy assessments/treatments and pre-placement assessments will not exceed $13,000 for a 12 month period.

8. Any additional services, including but not limited to, injury prevention or workshops, physical demands analysis and work-site assessments will be billed at a rate of $85.00 per hour.

9. All invoices for professional services will be rendered on a monthly basis and are to be paid within 30 days of receipt.

This agreement shall commence on the 1st day of February 2004.

The parties hereto accept the terms and conditions herein.

WITNESSETH the respective Corporate Seals of

The Parties hereto, duly attested by the hands of their respective

Proper signing officers.

SIGNED, SEALED and DELIVERED )THE CORPORATION
 )OF THE CITY OF
 )KINGSTON
 )PER:
 )
 )________________________
 Mayor
 )
 )________________________
 City Clerk
 )
 )________________________
 Kingston Injury
 Management Centre
 )
 )________________________
 Date
TO: Bert Meunier, Chief Administrative Officer
FROM: Mark Segsworth, Commissioner of Operations
PREPARED BY: Brad Finch, Airport Manager
DATE OF MEETING: February 3, 2004
SUBJECT: Lease Agreement between the Corporation of the City of Kingston and 2012026 Ontario Inc., also known as Kitplane Solutions

RECOMMENDATIONS TO COUNCIL:

1. That City Council approve a lease between The Corporation of the City of Kingston and 2012026 Ontario Inc., also known as Kitplane Solutions, for the rental of 178.4m² in Hangar No. 5, at the Kingston (Norman Rogers) Airport, for a one (1) year term commencing August 1, 2003, and expiring July 31, 2004, at an annual rental rate of $5,853.00, comprised of $5,353.00 base rent and $500.00 for property taxes.

2. That the rent be adjusted in accordance with the Canadian Consumer Price Index for the Province of Ontario, upon exercising of the Option to Renew for one further term of one year; and

3. That the terms of the lease shall be in a form satisfactory to City Solicitor; and

4. That the Mayor and City Clerk be authorized to sign said lease.

ORIGIN/PURPOSE:

Airport Administration, Operations Services, was approached by the owner of 1012026 Ontario Inc. in 2003 with a view to leasing a portion of Hangar No. 5 for the purpose of operating his aircraft assembly business.

The purpose of this report is to recommend that a lease with 2012026 Ontario Inc., be approved.
OPTIONS/DISCUSSION:

Airport Administration has been requested by 2012026 Ontario Inc. to enter into a lease for a one-(1) year term. The lease includes a one-(1) year renewal option.

The recommended rent is within the range of local market rents for warehouse space and is also comparable to rents charged to other tenants at the Norman Rogers Airport. Airport Administration is authorized to apportion property taxes at the airport and has deemed the sum of $500.00 as the amount attributable to this Premise.

Airport Administration recommends that the City enter into this lease.

EXISTING POLICY/BY-LAW:

By-Law No. 98-1, Council Procedural By-Law, provides authority for the Mayor and Clerk to sign all agreements that are approved by Council.

By-Law No. 2000-119, a By-Law to Establish a User Fee Structure at the Kingston (Norman Rogers) Airport

LINK TO STRATEGIC PLAN:

This is not directly linked to the Priority Action Items in the Strategic Plan.

FINANCIAL CONSIDERATIONS:

The annual rent for the first year is $5,853.00, plus GST and will be adjusted on August 1st, 2004, to reflect any increase in the Consumer Price Index, Province of Ontario.

CONTACTS:

Brad Finch, Airport Manager – 389-6404, Ext. 101

DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

Alan McLeod, Legal Division – Ext. 1237
Lorraine Thibadeau, Properties Division – Ext. 1602

NOTICE PROVISIONS:
N/A

APPENDICES:

N/A

<table>
<thead>
<tr>
<th>Mark Segsworth</th>
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<td>Commissioner of Operations</td>
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<th>Bert Meunier</th>
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<tr>
<td>Chief Administrative Officer</td>
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</table>
TO: Mayor and Members of Council
FROM: Bert Meunier, Chief Administrative Officer
PREPARED BY: same
DATE OF MEETING: February 3, 2004
SUBJECT: 2004 Budget Schedule

RECOMMENDATION TO COUNCIL:
That Council approves the proposed Council budget review schedule as presented in this report.

ORIGIN/PURPOSE:
Staff is in the process of preparing the following documents for Council’s review and approval:
- 2004 Capital Budget
- 2005 to 2013 Capital Budget Plan
- 2004 Operation Budgets
- 2005 to 2008 Operation Budget Plans

These documents will include both the municipal tax based and the rate based budgets for municipal departments and municipal utilities. We will canvass the external agencies so that they can provide us with their proposed budgets to be included in a comprehensive submission to Council.

Internally, for City departments and Utilities budget, we will be following Council direction provided previously and we will prepare balanced and funded budgets that will include a number of alternatives for Council’s consideration, including County provided services but excluding the part of the budget that relates to external agencies. This will also include a complete review of our various reserves and funding ability. It will also include an analysis of the resulting tax and rate increases.

As discussed with Council before Christmas during the orientation session, this year we will initiate the preparation of multi-year operation plans and proposed strategies that would assist our municipality to achieve a better long term fiscal health. Our objective is to minimize the time requirement to prepare and for Council to review the 2004 budgets and allow us more time during 2004 to determine and initiate a number of multi-year strategies to achieve a better 2008 fiscal health for the municipality. This approach would also allow us in the future to complete both the Capital and Operation budget approvals each year before the end of the year.
Staff has developed an intensive internal schedule to allow us to provide Council with the above listed deliverable by March 12, 2004. The following schedule is recommended to Council for budget review. Because of Spring break, we are suggesting that the Council budget package be delivered before the start of the spring break to allow Council to review the various documents. We are also proposing before spring break and after the budget week, a joint Committee of the Whole/Council session to deal with any regular business.

Once Council determines the budget review dates, we will prepare a more detailed agenda for each one of those dates.

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<tr>
<th>Date</th>
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<tr>
<td>February 20th</td>
<td>External agencies budget due</td>
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<tr>
<td>March 9th</td>
<td>Joint regular business Committee of the Whole/Council</td>
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<tr>
<td>March 12th</td>
<td>Complete budget package to Council</td>
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<tr>
<td>March 15-19th</td>
<td>Spring Break; no Council meeting</td>
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<tr>
<td>March 23-24-25-29</td>
<td>Committee of the Whole budget review at 5pm with food</td>
</tr>
<tr>
<td>March 30th</td>
<td>Joint regular business Committee of the Whole/Council</td>
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<tr>
<td>March 31st</td>
<td>Special Council budget approval</td>
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**OPTIONS/DISCUSSION:**

We could shorten the process by excluding the multi-year approach. We strongly recommend against that; as indicated to Council during the orientation session, it is our firm belief that a multi-year approach to fiscal planning and strategies is required to achieve long term fiscal health.

**EXISTING POLICY/BY-LAW:**

n/a

**LINK TO STRATEGIC PLAN:**

The proposed budget approach on the basis of a multi-year approach will help us achieve better long term fiscal health which will enable us to improve Kingston's quality of life.

**FINANCIAL CONSIDERATIONS:**

n/a

**CONTACTS:**

Bert Meunier; ext. 1214
DEPARTMENTS/OTHERS CONSULTED AND AFFECTED:

Executive Management Team

NOTICE PROVISIONS:

Notice provisions under the new Municipal Act are required for the budget review process.

APPENDICES:

N/A

[Signature]

Bert Meuniér
Chief Administrative Officer