

**MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL HELD ON
MONDAY, JANUARY 14, 2013, AT 5801 CAVENDISH BOULEVARD,
CÔTE SAINT-LUC, AT 8:00 P.M.**

PRESENT:

Mayor Anthony Housefather, B.C.L., L.L.B, M.B.A. presiding
Councillor Mitchell Brownstein, B. Comm., B.C.L., L.L.B.
Councillor Mike Cohen, B.A.
Councillor Steven Erdelyi, B.Sc., B.Ed.
Councillor Sam Goldbloom, B.A.
Councillor Ruth Kovac, B.A.
Councillor Allan J. Levine, B.Sc., M.A., DPLI
Councillor Glenn J. Nashen

ALSO PRESENT:

M^e Jonathan Shecter, City Clerk, acted as Secretary of the meeting

QUESTION PERIOD

There were no residents present.

130101

**RESOLUTION TO CHANGE THE DATE OF THE JANUARY 2013 REGULAR
COUNCIL MEETING**

WHEREAS article 319 of the *Cities and Towns Act* states that Council may decide that a Regular Sitting is to begin on a date and time other than those specified in its schedule;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED:

“The Council hereby modifies its Regular Council sitting date in January 2013 from January 21, 2013 at 8:00 pm to January 28, 2013 at 8:00 pm.”

CARRIED UNANIMOUSLY

130102

**LEGAL – TENDERED CONTRACT C-20-12 GRANTED TO SIMO
MANAGEMENT INC.; CANCELLATION OF RESOLUTION 121225 OF
DECEMBER 10, 2012; AND REPLACEMENT OF RESOLUTION 120925 OF
SEPTEMBER 24, 2012**

WHEREAS pursuant to Resolution 120925 the City of Côte Saint-Luc (“City”) granted a tendered contract to Simo Management Inc. (“Simo”) for professional services for the management of the City’s water and sewer systems;

WHEREAS the granting of the aforementioned contract was made subject, simply as a precaution, to the conditions set out in the *Municipal Powers Act*, R.S.Q., c. C-47.1 (“MPA”);

WHEREAS the aforementioned contract contemplates the surveillance, maintenance and repair of the City’s water and sewer systems, which systems remain public domain and, as such, the MPA does not apply to it;

WHEREAS it is in the best interests of the City to remove these conditions and to grant the aforementioned contract to Simo as of January 1, 2013;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

“THAT the preamble hereto shall form an integral part hereof;

THAT Resolution 121225 dated December 10, 2012 is hereby cancelled for all purposes at law;

THAT Resolution 120925 dated September 24, 2012 is hereby replaced in its entirety with retroactive effect for all purposes of law as follows:

THAT effective as of January 1, 2013, the City of Cote Saint-Luc hereby awards an unconditional contract for the surveillance, maintenance and repair of its water and sewer systems to Simo Management Inc. in accordance with the tender terms of C-20-12, except that the conditions of the *Municipal Powers Act*, R.S.Q., c. C-47.1 are hereby removed. This also replaces any contradictory terms in the *Letter Agreement Amending Bid of Simo Management Inc. Under Tender C-20-12* dated September 22, 2012 including *Annex 1* thereto (“Letter Agreement”);

THAT for further clarity this contract is for the term of January 1, 2013 – December 31, 2016, with an option in favour of the City for 2017, the whole as per the prices tendered by Simo as amended by the Letter Agreement;

THAT the City hereby reserves its option rights for 2017 without any obligation, which it may choose at a later time to exercise or not exercise;

THAT the aforesaid amended pretax prices are reproduced in the Letter Agreement including *Annex 1* incorporated herein by this reference and summarized for recapitulation purposes as follows, noting that the prices mentioned below for the ‘*Services à l’acte*’ are simply estimates and will be paid according to the (unit) prices detailed in *Annex 1* to the Letter Agreement as and when incurred:

Services	2013	2014	2015	2016	Option: 2017
<i>Services de base</i>	-3% discount: \$ 674,757	+1.5% \$ 684,878	+1.5% \$ 695,151	+1.5% \$ 705,579	+0% \$ 705,579
<i>Services à l’acte – estimated</i>	-3% discount \$ 1,593,508	+1.5% \$ 1,617,411	+1% \$ 1,633,585	+0.5% \$ 1,641,753	+0% \$ 1,641,753

THAT the Letter Agreement annexed hereto to be incorporated herein, is hereby approved and adopted, save and except for any terms thereof which contradict the present Resolution;

THAT any one of the City’s General Counsel is hereby authorized to sign the aforementioned Letter Agreement on behalf of the City and to approve the contents and subsequent inclusion of *Annex 1* thereto;

THAT Treasurer's Certificate TC 13-0004 has been issued attesting to the availability of funds estimated to cover the described expenses plus applicable taxes for the contract year 2013 up to the budgeted amount;

THAT as soon as practicable at the beginning of each contract year, The City's (Assistant) Treasurer shall issue a Treasurer's Certificate attesting to the availability of funds to cover the contemplated expenses for that contract year."

CARRIED UNANIMOUSLY

130103

FINANCE – APPOINTMENT OF EXTERNAL AUDITORS FOR FISCAL YEARS 2012, 2013 AND AN OPTION FOR FISCAL YEAR 2014 (C-28-12)

WHEREAS the City issued an invited tender under number C-28-12 seeking external professional auditing services in accordance with section 108 of the Cities and Towns Act, and it received 2 conforming bids;

WHEREAS the bidder with the highest score, namely, Raymond Chabot Grant Thornton, is deemed to be the lowest bidder under the law;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

"THAT pursuant to invited tender C-28-12, the firm of Raymond Chabot Grant Thornton be appointed the City of Côte Saint-Luc ("City")'s external auditors for its fiscal years ending December 31, 2012 and December 31, 2013;

THAT the pre-tax bid submitted by RCGT are as follows:

<u>Fiscal Year:</u>	<u>Pretax Bid Subtotal:</u>
2012	\$27,806.00
2013	\$27,806.00
2014	\$27,806.00 (option)

THAT the City hereby reserves, under no obligation, its rights under C-28-12 in respect of the optional fiscal year ending December 31, 2014;

THAT a Treasurer's Certificate numbered TC 13-0006 has been issued by the Assistant City Treasurer attesting to the availability of funds to cover the described expenses for the City's fiscal year ending December 31, 2012; i.e., \$27,806.00, plus applicable taxes;

THAT for each applicable year of this mandate, including the option year if subsequently exercised by the City, the City's Finance Department shall procure a Treasurer's Certificate to attest to the availability of funds to cover the applicable expenses for that year, plus applicable taxes."

CARRIED UNANIMOUSLY

130104

PUBLIC WORKS – PURCHASE FOR ANNUAL FLOWERS FOR 2013 (C-23-12)

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

“THAT a contract be and is hereby awarded to Les Serres Riel Inc. for the purchase of annual flowers for 2013 for the amount of \$38,752.02, plus applicable taxes, in conformity with the terms of invited tender C-23-12;

THAT a Treasurer’s Certificate numbered TC 13-0003 has been issued by the Assistant City Treasurer attesting to the availability of funds to cover the described expenses.”

CARRIED UNANIMOUSLY

130105

PUBLIC WORKS - SANITARY PRODUCTS (TENDER C-24-12)

WHEREAS the City of Cote Saint-Luc (“City”) issued an invited tender for certain sanitary products and dispensers under Tender No. C-24-12 and received 7 bids, 2 of which, namely those of Railik and Larose, did not conform to the City’s specifications;

WHEREAS the bid of Equipement de securité Universel Inc. was the lowest conforming bid overall and per unit for all of the products and dispensers for the Term defined below;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

“THAT the Côte Saint-Luc City Council hereby awards tendered contract, under Tender No. C-24-12, to Equipement de securité Universel Inc. (“Universel”) for the sanitary products and dispensers contemplated by Tender No. C-24-12, in and for such quantities thereof as needed by the City during the Term on the basis of the unit prices determined from the bid of Universel;

THAT the term (“Term”) of this contract shall be in accordance with Tender No. C-24-12, namely, for the period commencing with this Resolution and expiring on December 31, 2014;

THAT the City hereby moreover reserves its rights, under no obligation on the City’s part, in respect of the two option years, namely, 2015 and 2016, respectively;

THAT Treasurer’s Certificate numbered TC 13-0007 attesting to the availability of funds has been issued by the Assistant City Treasurer for a maximum approximate amount of \$35,000.00, plus applicable taxes in respect of the 2013 calendar year;

THAT if actual consumption for 2013 exceeds this maximum amount, the excess shall be approved in accordance with the City's delegated authority by-law;

THAT moreover a Treasurer's Certificate shall be procured at the beginning of 2014 with respect to the approximate expenses anticipated to be incurred for 2014, plus applicable taxes."

CARRIED UNANIMOUSLY

130106

IT – PG SOLUTIONS INC. – ANNUAL MAINTENANCE AND SUPPORT FEES FOR 2013

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

"THAT invoices 9733-9734-9735 of PG Solutions Inc. ("PG"), totaling \$93,364.55, plus applicable taxes, for the annual maintenance and support services to be provided by PG for 2013 pursuant to that *Master Software License and Support Agreement Effective December 12, 2011* previously entered into between PG and the City of Côte Saint-Luc, be and are hereby approved for payment;

THAT Treasurer's Certificate numbered TC 13-0005 has been issued by the Assistant City Treasurer attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

130107

APPROVAL OF THE ADJOURNMENT OF THE MEETING

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

"THAT Council hereby authorizes the Mayor to declare the Meeting adjourned."

CARRIED UNANIMOUSLY

**AT 8:12 P.M. MAYOR HOUSEFATHER DECLARED THE MEETING
ADJOURNED.**

ANTHONY HOUSEFATHER
MAYOR

JONATHAN SHECTER
CITY CLERK