



**AGENDA
REGULAR MUNICIPAL COUNCIL MEETING
OF THE CITY OF WESTMOUNT
MONDAY, FEBRUARY 5, 2024**

1. OPENING OF THE MEETING

The Mayor calls the sitting to order.

Unless otherwise indicated in these minutes, the Mayor avails herself of her privilege provided for in section 328 of the *Cities and Towns Act* (CQLR, chapter C-19) by abstaining from voting.

2. MAYOR'S AND COUNCILLORS' REPORTS

3. FIRST QUESTION PERIOD

4. ADOPTION OF THE AGENDA

MOVER

Councillor Bostock

SECONDER

THAT the agenda of the regular Council sitting of February 5, 2024, be adopted with the addition of the following item under New Business:

- 23.1. Appointment - Assistant Director - Public Works Department.

5. CONFIRMATION OF MINUTES

MOVER

Councillor Bostock

SECONDER

THAT the minutes of the regular Council sitting held on January 15, 2024, be approved.

6. REPORTS TO COUNCIL

6.1. CORRESPONDENCE

Acting Mayor Roux

The following documents are tabled:

- List of by-laws adopted at the regular sitting of the Municipal Council of the City of Montreal, on December 21, 2023;
- Letter from the *Service du greffe de la Ville de Montréal* with the object: *Assemblée du conseil d'agglomération du 21 décembre 2023 - Résolution CG23 0753 - Résolution de contrôle intérimaire – Protection des milieux humides*, with attachments copies of Resolutions Nos. CG23 0753 and CG23 0754;

- Letter from the *Service du greffe de la Ville de Montréal* with the object: *Assemblée du conseil d'agglomération du 21 décembre 2023 - Résolution CG23 0773 - Projet de règlement P-RCG 14-029-6 intitulé « Règlement modifiant le Schéma d'aménagement et de développement de l'agglomération de Montréal (RCG 14-029) »*, with attachments the draft by-law P-RCG 14-029-6, its accompanying document, and Resolution CG23 0773;
- By-law 04-047-256 of the *Ville de Montréal: Règlement modifiant le plan d'urbanisme de la ville de Montréal (04-047) relativement aux lots 1 179 377 et 5 069 561 du cadastre du Québec*, as well as the certificate of publication of the public notice concerning the coming into force of said by-law;
- By-law 04-047-257 of the *Ville de Montréal: Règlement modifiant le plan d'urbanisme de la Ville de Montréal (04-047)*, as well as the certificate of publication of the public notice concerning the coming into force of said by-law.

6.2. MINUTES OF THE GENERAL COMMITTEE OF COUNCIL

Councillor Bostock

The minutes of the General Committee of Council meeting held on December 18, 2023, are tabled and are available on the City's website.

6.3. MINUTES OF THE FINANCE AND ADMINISTRATION COMMITTEE

Councillor Shamie

The minutes of the Finance and Administration Committee meeting held on October 25, 2023, are tabled.

6.4. MINUTES OF THE TRANSPORTATION ADVISORY COMMITTEE

Councillor Bostock

The minutes of the Transportation Advisory Committee meetings held on June 29, July 25, October 10, and November 14, 2023, are tabled and are available on the City's website.

6.5. WORKFORCE REPORT

Councillor Shamie

The workforce report for the month of December 2023, is tabled.

6.6. PAYMENT REGISTRY

Councillor D'Amico

The list of payments for the month of December 2023, is tabled.

6.7. LIST OF APPROVALS IN VIRTUE OF BY-LAW 1507

Councillor Shamie

In accordance with *By-law 1507 on the Delegation of powers to certain employees of the City of Westmount*, the list of authorization of expenditures for the month of December 2023, is tabled.

6.8. LISTS OF DUTIES ON TRANSFER INVOICES

Councillor D'Amico

The list of duties on transfers for the month of December 2023, is tabled.

6.9. TABLING OF THE STATEMENTS OF PECUNIARY INTERESTS

City Clerk

In accordance with Section 358 of *An Act respecting elections and referendums in municipalities* (CQLR, chapter E-2.2), the City Clerk confirms that Mayor Christina M. Smith and Councillors Anitra M. Bostock, Mary Gallery, Kathleen Kez, Elisabeth Roux, Matt Aronson, Antonio D'Amico, Conrad Peart, and Jeff J. Shamie have submitted an update of their respective annual statement of pecuniary interests.

7. ADOPTION OF COUNCIL'S POSITION ON THE ITEMS TO BE SUBMITTED TO THE MONTREAL URBAN AGGLOMERATION COUNCIL

MOVER

Councillor Bostock

SECONDER

THAT the Mayor, or in her absence the Acting Mayor, be authorized to make any decisions she deems necessary and in the best interest of the City of Westmount and its residents regarding the items on the agenda of the Montreal Urban Agglomeration Council meeting to be held on February 22, 2024.

8. HOOKED ON SCHOOL DAYS - SUPPORT FROM THE CITY OF WESTMOUNT

WHEREAS the Hooked on School Days (HSD) campaign, which brings together several partners, will be held from February 12 to February 16, 2024, under the theme "For the future, perseverance is always in the present tense", and that these days are intended to be a high point in the year, demonstrating the collective commitment to the academic perseverance and success of all students;

WHEREAS the support and kind presence of all adults is paramount in academic success;

WHEREAS the elected municipal officials want to show their solidarity and support for the youth and for all the actors in the education network;

WHEREAS the elected municipal officials collaborate in the efforts of the Montréal community in the area of school perseverance and educational success, among others, through the initiatives "*les élu.e.s s'engagent!*" of *Concertation Montréal*.

MOVER

Councillor Bostock

SECONDER

THAT the City of Westmount proclaim the week of February 12 to February 16, 2024 as Hooked on School Days;

THAT the City unanimously and publicly express its solidarity and support for the youth and for all the actors in the education system;

THAT the City support the Hooked on School Days (HSD) 2024 campaign under the theme "For the future, perseverance is always in the present tense" and invite elected officials to participate.

9. RENEWAL OF THE BOUNDARIES OF ELECTORAL DISTRICTS - 2025 MUNICIPAL ELECTIONS

WHEREAS the City of Westmount proceeds with the division of its territory into electoral districts every four years;

WHEREAS before March 15th of the year preceding a general election, a municipality may, under certain conditions, apply to the *Commission de la représentation électorale du Québec* to renew the division of electoral districts in effect on its territory;

WHEREAS the current division of the City into electoral districts complies with sections 9, 11, and 12 or section 12.0.1 of the *Act respecting elections and referendums in municipalities* (CQLR, c. E-2.2) (hereinafter, the Act);

WHEREAS the attached table of electors indicates the number of electors for each of the electoral districts in effect and confirms that the variances are less than 15% in accordance with section 12 of the Act.

MOVER
SECONDER

Councillor Shamie

THAT the City of Westmount apply to the *Commission de la représentation électorale du Québec* for confirmation that it meets the conditions required to proceed with the maintaining of the division of the territory of the municipality into electoral districts currently in effect on its territory for the purposes of the 2025 general election.

10. ADOPTION OF A POLICY - DIVERSITY, EQUITY, AND INCLUSION

WHEREAS many social changes are taking place and are reflected in the culture of the workplace;

WHEREAS issues of diversity and inclusion are at the heart of our society;

WHEREAS the City of Westmount wishes to put forward its commitment to a culture of openness.

MOVER
SECONDER

Councillor Shamie

THAT the *Policy - Diversity, equity, and inclusion* be adopted.

11. COLLECTIVE AGREEMENT 2020-2026 - SYNDICAT DES COLS BLEUS REGROUPÉS DE MONTRÉAL (SCFP, 301)

WHEREAS the collective agreement between the City of Westmount and the *Syndicat des Cols bleus regroupés de Montréal (SCFP, 301)* expired on December 31, 2019;

WHEREAS on August 9, 2023, an agreement was reached in principle between the parties;

WHEREAS the majority of blue-collar employees have accepted the content of the new collective agreement;

WHEREAS the Director of Human Resources recommends the approval of the Municipal Council for said agreement.

MOVER

Councillor Shamie

SECONDER

THAT the collective agreement for the blue-collar employees be ratified for the period from January 1, 2020 to December 31, 2026;

To authorize all expenses related to the retroactive payment as of January 1, 2020, in accordance with decision-making file No. 2024-2158;

THAT the Mayor, the Director General, the Director of Human Resources, the Assistant Director of Human Resources and the Human Resources Advisor be authorized to sign the new Westmount's blue collar collective agreement, for and in the name of the City.

12. APPOINTMENT - PERSON IN CHARGE OF ELECTRONIC SERVICES

WHEREAS the *Gouvernement du Québec* offers electronic services that provide fast, secure access for transactions with *Revenu Québec*;

WHEREAS it is necessary to appoint a person in charge of electronic services for the City of Westmount.

MOVER

Councillor D'Amico

SECONDER

THAT the Assistant Director of the Finance Department be appointed as the person in charge of electronic services and be authorized:

- to register the City of Westmount with Revenu Québec;
- to manage the City's registration to *clicSÉCUR – Business*;
- to manage the City's registration to My Account for Business and, generally, to do all that is appropriate and necessary for this purpose;
- fulfill the roles and assume the responsibilities of the person in charge of electronic services as described in the conditions of use of My Account for Business, in particular by giving City users, as well as other entities, authorization or power of attorney;
- to consult the City's file and act in the City's name and on its behalf, for all taxation periods and years (past, current, and future), including the power to participate in any negotiations with *Revenu Québec*, with respect to all information that *Revenu Québec* holds concerning the City for the application or enforcement of tax laws, the *Excise Tax Act* (RSC, 1985, c. E-15), the *Act to facilitate the payment of support* (CQLR, chapter P-2.2), by communicating with *Revenu Québec* by all available means of communication (by telephone, in person, by mail and using on-line services).

13. MANDATE FOR LEGAL SERVICES - POMERLEAU INC.

WHEREAS in 2012, the City of Westmount awarded a contract to Pomerleau Inc. for the construction of the Westmount Recreation Centre using the design-build method (Resolution No. 2012-02-31);

WHEREAS, in accordance with the terms of said contract, Pomerleau Inc. had the obligation to perform its duties and fulfill its obligations in accordance with the standards of its profession, such as the CSA standards;

WHEREAS Pomerleau Inc. failed to fulfill its contractual obligations with respect to the embedding of the concrete slab;

WHEREAS Pomerleau inc. refuses to correct the deficiency to make it compliant with standards.

MOVER

Councillor Gallery

SECONDER

THAT the City authorize the participation in a settlement conference to negotiate a compensation with Pomerleau Inc. and WSP Canada Inc.;

THAT the City authorize the law firm *BMMD Avocats S.E.N.C.R.L.* to represent its interests at the settlement conference against Pomerleau inc. and WSP Canada Inc. regarding the breach of their contractual and normative obligations during the construction of the swimming pool of the Westmount Recreation Centre;

THAT the Director of Legal Services and the Director of Engineering be authorized to participate and represent the City at the settlement conference;

THAT the Director of Legal Services and the Director of Engineering have the necessary authorizations to propose offers and counteroffers for settlement of the file.

14. APPROVAL OF A SYSTEM OF BID WEIGHTING AND EVALUATING - PROFESSIONAL SERVICES

WHEREAS according to sections 573.1.0.1.1 and 573.1.0.1.2 of the *Cities and Towns Act* (CQLR, c. C-19), where a contract for professional services is to be awarded, the council must use a system of bid weighting and evaluating;

WHEREAS the Engineering Department recommends a new system of bid weighting and evaluating for all calls for tenders relating to professional services.

MOVER

Councillor D'Amico

SECONDER

THAT the City adopt the weighting and evaluation system attached to this resolution as an integral part thereof, for calls for tenders for professional services;

THAT said system of bid weighting and evaluating be used for all the calls for tenders for professional services evaluated at over \$133,800, unless otherwise specified by way of resolution of Council;

THAT said system of bid weighting and evaluating be valid for the year 2024.

15. REQUEST FOR PROPOSALS - CONVERSION AND MIGRATION OF ICO-RAO/POLICE WEB SOFTWARE

WHEREAS a request for proposals was sent for the conversion and migration of the ICO-RAO/Police WEB software, and that, in conformity with *By-law 1556 on contract management*, the *Déclaration relative aux mesures prises pour assurer la rotation des cocontractants* is submitted at this meeting;

WHEREAS section 573.3 of the *Cities and Towns Act* (CQLR, c. C-19) provides that sections 573 and 573.1 of said Act pertaining to call for tenders, do not apply to a contract whose object, which stems from the use of a software package or software product, is to ensure compatibility with existing systems, software packages or software products.

MOVER

Councillor Kez

SECONDER

To authorize an expenditure in the amount of \$72,972.61, including tax credits, for the conversion and migration of the ICO-RAO/Police WEB software;

To award to ICO Technologies Inc. the contract for this purpose in accordance with its proposal, for a maximum amount of \$79,914.52, including taxes, the whole in conformity with the contractual documents of the request for proposals;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2024-2156.

16. CALL FOR TENDERS BY INVITATION - SUPPLY OF ITRON ELECTRIC METERS (INV-2024-002)

WHEREAS the City of Westmount is considering entering into a contract pursuant to section 573.3 of the *Cities and Towns Act* (CQLR, chapter C-19) with GF TEC Controls Inc. for the supply of Itron electric meters;

WHEREAS, in accordance with section 573.3.0.0.1 of the *Cities and Towns Act* (CQLR c. C-19), a notice of intention was published on the *Système électronique d'appel d'offres du gouvernement du Québec* on January 11, 2024, informing of the City's intention to award a contract by mutual agreement to a supplier identified in said notice;

WHEREAS GF TEC Controls Inc. is the only supplier doing business in Canada that can offer the products in question that are necessary and compatible with Hydro Westmount's electrical network.

MOVER

Councillor Shamie

SECONDER

To authorize an expenditure in the amount of \$184,250.64, including tax credits, for supply of Itron electric meters (Tender by invitation No. INV-2024-002);

To award to GF TEC Controls Inc. the contract for this purpose at its bid price, for a maximum amount of \$211,842.17, including taxes, the whole in conformity with the contractual documents of the call for tenders by invitation INV-2024-002;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2024-2145.

17. CALL FOR PUBLIC TENDERS - COLLECTION AND TRANSPORTATION OF RECYCLABLE MATERIALS FOR THE CITIES OF POINTE-CLAIRE, CÔTE ST-LUC, WESTMOUNT, AND DOLLARD-DES-ORMEAUX (PUB-2023-040)

WHEREAS tenders were publicly opened on January 26, 2024, for the collection and transportation of recyclable materials for the cities of Pointe-Claire, Côte St-Luc, Westmount, and Dollard-des-Ormeaux (Tender No. PUB-2023-040), and minutes prepared by the City Clerk's Office are submitted at this meeting;

WHEREAS, following the analysis of the opened tenders, *WM Québec inc.* is the lowest conforming bidder as it appears from the report prepared by the Purchasing Division, which is submitted at this meeting.

MOVER

Councillor Aronson

SECONDER

To award to *WM Québec inc.* the contract for the collection and transportation of recyclable materials for the cities of Pointe-Claire, Côte St-Luc, Westmount, and Dollard-des-Ormeaux (Tender No. PUB-2023-040), at its bid price, for a maximum amount of \$3,228,268.79, including taxes, for the period from April 1, 2024 to March 31, 2027, with two (2) options of renewal for a period of 12 months each, the whole in conformity with the contractual documents of the call for tenders PUB-2023-040;

To authorize an expenditure in the amount of \$499,645.17, including tax credits, for the portion of said contract serving the City of Westmount;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2024-2156.

18. CALL FOR PUBLIC TENDERS - RENTAL OF A TEMPORARY MODULAR COMPLEX (PUB-2023-056)

WHEREAS tenders were publicly opened on December 15, 2023, for the rental of a temporary modular complex (Tender No. PUB-2023-056), and minutes prepared by the City Clerk's Office are submitted at this meeting;

WHEREAS, following the analysis of the opened tenders, Williams Scotsman of Canada, Inc. is the lowest conforming bidder as it appears from the report prepared by the Purchasing Division, which is submitted at this meeting.

MOVER

Councillor Bostock

SECONDER

To authorize an expenditure in the amount of \$620,686.10, including tax credits, for the rental of a temporary modular complex (Tender No. PUB-2023-056);

To award to Williams Scotsman of Canada, Inc. the contract for this purpose at its bid price, for a maximum amount of \$679,732.20, including taxes, the whole in conformity with the contractual documents of the call for tenders PUB-2023-056;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2023-2125.

19. RENEWAL OF A CONTRACT - SUPPLY OF CYBERSECURITY SERVICES

WHEREAS, on December 19, 2022, the Municipal Council confirmed the awarding of the contract on an urgent basis, for the supply of cybersecurity services to *FQM Services, Coopérative de solidarité* (Resolution No. 2022-12-233);

WHEREAS the Director of Digital Information Technologies recommends renewing the contract for the period from November 21, 2023 to November 20, 2024.

MOVER

Councillor Shamie

SECONDER

To authorize the renewal of the contract awarded to *FQM Services, Coopérative de solidarité*, for the supply of cybersecurity services (Resolution No. 2022-12-233), for the period from November 21, 2023 to November 20, 2024, for a maximum amount of \$141,396.26, including taxes;

To authorize an expenditure in the amount of \$129,113.63, including tax credits, for the purpose of this contract;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2024-2153.

20. MODIFICATION TO A CONTRACT - NEGOTIATIONS - COLLECTIVE AGREEMENT BETWEEN THE CITY OF WESTMOUNT AND THE SYNDICAT DES COLS BLEUS REGROUPÉS DE MONTRÉAL (SCFP, 301)

WHEREAS in 2021, the contract for a negotiation mandate for the renewal of the collective agreement between the City of Westmount and the *Syndicat des cols bleus regroupés de Montréal (SCFP, section locale 301)* (Request for proposals DDP-2021-033) was awarded to the firm *Les Avocats Le Corre et Associés s.e.n.c.r.l.* for a total of \$44,771.27, including taxes, for a total of 118 billable hours;

WHEREAS, on November 7, 2022, Council authorized an additional expenditure for said contract (Resolution No. 2022-11-279);

WHEREAS an additional expenditure is required to cover fees incurred for general consultations in 2023.

MOVER

Councillor Shamie

SECONDER

THAT an additional expenditure be authorized in the amount of \$28,806.00, including taxes, for the negotiation mandate for the renewal of the collective agreement between the City of Westmount and the *Syndicat des Cols bleus regroupés de Montréal (SCFP, 301)* with the firm *Les Avocats Le Corre et Associés s.e.n.c.r.l.*;

To allocate this expenditure in accordance with the financial information included in the decision-making file No. 2024-2157.

21. ADOPTION - BY-LAW 1605 TO FURTHER AMEND BY-LAW 1303 RESPECTING ZONING

City Clerk

The City Clerk to report that copies of the by-law have been remitted to all members of Council and are available for public reference in due course.

OBJECT

The City Clerk to explain that the object of this by-law is to amend several provisions of the *Zoning By-law* to correct issues of interpretation and consistency, and to provide a better framework for the installation of certain structures.

Acting Mayor Roux

Declaration by each member of Council present that he or she has read the by-law.

MOVER

Councillor Gallery

SECONDER

THAT By-law No. 1605 entitled *By-law to further amend By-law 1303 respecting zoning* be adopted.

Declaration

Acting Mayor Roux

THAT By-law No. 1605 entitled *By-law to further amend By-law 1303 respecting zoning* having been duly adopted; it is ordered that notices be given as required by law.

22. ADOPTION - BY-LAW 1606 TO FURTHER AMEND BY-LAW 1305 ON SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAMS - CONSTRUCTION IN FRONT OF THE BUILDING LINE AND TEMPORARY SIGNAGE

City Clerk

The City Clerk to report that copies of the by-law have been remitted to all members of Council and are available for public reference in due course.

OBJECT

The City Clerk to explain that the object of this by-law is to ensure consistency with the dispositions concerning zoning further to the modification provided for in draft By-Law No. 1605.

Acting Mayor Roux

Declaration by each member of Council present that he or she has read the by-law.

MOVER

Councillor Gallery

SECONDER

THAT By-law No. 1606 entitled *By-law to further amend By-Law 1305 on site Planning and Architectural Integration Programs - Construction in front of the building line and temporary signage* be adopted.

Declaration

Acting Mayor Roux

THAT By-law No. 1606 entitled *By-law to further amend By-Law 1305 on site Planning and Architectural Integration Programs - Construction in front of the building line and temporary signage* having been duly adopted; it is ordered that notices be given as required by law.

23. NEW BUSINESS

23.1. APPOINTMENT - ASSISTANT DIRECTOR - PUBLIC WORKS DEPARTMENT

WHEREAS according to Section 71 of the *Cities and Towns Act* (CQLR, c. C-19), the council shall appoint by resolution such officers and employees as it deems necessary for the administration of the city, and shall fix their salaries;

WHEREAS on April 1, 2019, the Municipal Council adopted the *Working Conditions and Remuneration of Management Personnel*;

WHEREAS the position of Assistant Director of the Public Works Department is currently vacant;

WHEREAS the Interim Director of Human Resources recommends the appointment of Mr. Titouan Perriollat to the position of Assistant Director of the Public Works Department.

MOVER

Councillor Bostock

SECONDER

THAT Mr. Titouan Perriollat be appointed to the position of Assistant Director of the Public Works Department, grade 5, effective March 4, 2024, in accordance with the salary recommendation stipulated in the decision-making file No. 2024-2163 and according to the terms provided for in the *Working Conditions and Remuneration of Management Personnel*;

THAT this appointment be on a permanent basis once Mr. Perriollat has completed a probationary period in accordance with Section 2 of the *Working Conditions and Remuneration of Management Personnel*.

24. SECOND QUESTION PERIOD

25. CLOSING OF THE SITTING

The Mayor declares the sitting closed.