
To: UTRCA Board of Directors
From: Tracy Annett
Date: September 18, 2023
File Number: BoD-09-23-49
Agenda #: 6.5
Subject: Cost Apportioning Agreements Update and Quarterly Progress Report

Recommendation

THAT the October 1, 2023 Progress Report be received; and further that Staff be directed to request an extension to the January 1, 2024 deadline to execute Cost Apportioning Agreements with all member municipalities to March 31, 2024.

Background

As a requirement under Ontario Regulation 687/21, the Upper Thames River Conservation Authority (UTRCA) developed and approved a Transition Plan (December 17, 2021) and Inventory of Programs and Services (February 28, 2022). The Inventory of Programs and Services is based on the three categories identified in the Regulation. These categories include (1) Mandatory, (2) Municipally requested, and (3) Other (Authority determines are advisable).

As required under Ontario Regulation 687/21 and identified in UTRCA's Transition Plan, the UTRCA is providing its final Progress Report. Under the regulation the progress reports must include the following;

- Any comments or other feedback submitted by a municipality regarding the inventory
- A summary of any changes that the Authority has made to the inventory to address comments or other feedback, including a copy of the amended inventory and description of changes
- An update on the progress of negotiations on cost apportioning agreements with participating municipalities
- Any difficulties that the Authority is experiencing might affect the ability of the Authority to enter into cost apportioning agreements with participating municipalities by the transition date.

Discussion:

Progress made since the first quarterly report are summarized below:

1. Municipal Comments and Feedback

- a. No additional comments have been provided regarding the inventory. Staff received input on the draft agreement from Thames Centre, Middlesex Centre, Oxford County and City of London. Circulation of the Draft Agreement has

occurred with the remaining municipalities and discussion will occur in the coming weeks.

2. Summary of Changes to Inventory of Programs and Services:

- a. No revisions to the Inventory of Programs and Services have been made since the last report.

3. Update on Progress of Negotiations with Participating Municipalities on Category 2 and 3 Programs and Services:

- a. UTRCA staff have worked collaboratively with the Southwest Conservation Authorities on finalizing a Cost Apportionment Agreement for Category 2 and 3 Programs and Services. Feedback is being sought from municipal staff.
- b. Staff have been collaborating with neighbouring CA's (where feasible) to schedule further discussions with participating municipalities.
- c. At this time agreements have been fully executed with Thames Centre and Middlesex Centre. The City of London plans to include the agreement to the agenda of council in early October. Oxford County will be taking the 'final draft' version of the agreement to the Area Municipalities in the coming weeks for their information and endorsement with a report to county council in November. Draft agreements have been circulated to the remaining municipalities with discussions anticipated in October.

4. Difficulties Reaching Transition Plan Date:

- a. As noted in the previous reports, discussions have been initially delayed due to the municipal elections and more recently delayed as a result of uncertainty raised by the changes to the Conservation Authorities Act and regulations.
- b. While UTRCA anticipates signed agreements with its remaining member municipalities prior to the January 1, 2024 deadline, reports are still working their way through council agendas. As resolutions remain outstanding from some municipalities UTRCA is advising the Ministry that an extension to the January 1, 2024 deadline may be required to facilitate council schedules and further negotiations if necessary. However, UTRCA is making every effort to ensure compliance with the regulatory deadline. Staff estimate that an extension until March 31, 2024 would be sufficient.

The quarterly progress report will be posted on the UTRCA website and submitted to the Ministry of Natural Resources and Forestry in accordance with Ontario Regulation 687/21.

Prepared by:

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